

OFFICE OF THE STATE PUBLIC DEFENDER
APPELLATE DEFENDER OFFICE

301 SOUTH PARK, ROOM 568

P.O. BOX 200145

HELENA, MT 59620-0145

(406) 841-2001

(406) 841-2003 (fax)

PROCEDURE FOR COURT REPORTERS

Jim Wheelis

Joslyn Hunt

Koan Mercer

Lisa Korchinski

Tammy Hinderman

Kelli Sather

Roberta Zenker

Chief Appellate Defender

Assistant Appellate Defender

Assistant Appellate Defender

Assistant Appellate Defender

Assistant Appellate Defender

Assistant Appellate Defender

Assistant Appellate Defender

Sarah Braden

Katrina Sherman

Rachel Smith

Office Manager/Paralegal

Legal Secretary/Paralegal

Receptionist/Secretary

Appellate Procedure for Court Reporters

Court Reporters will receive a transcript request letter from the Office Manager or Paralegal designated for the Regional Public Defender's Office. If you do not receive a transcript request letter and are given oral notice, you need to tell the attorney that you will not prepare the transcripts until you are given a written request by the person designated in your region to prepare the request letter.

Assistants assigned to prepare transcript request letters:

Region 1 – Kalispell	Anna Garza	751-6080
Region 2 – Missoula	Mickey McGuire	523-5140
Region 3 – Great Falls	Jason Kindsvatter	454-6733
Region 4 – Helena	August Swanson	444-0104
Region 5 – Butte	Ann Allen	496-6380
Region 6 – Havre	Beth Rucinsky	265-2199
Region 7 – Lewistown	Gail Hikel	535-3703
Region 8 – Bozeman	Heidi Henry	582-2450
Region 9 – Billings	Kristine Kerr	896-4949
Region 10 – Glendive	Ronda Hansen	377-3113
Region 11 – Miles City	Linda Conard	234-1702

Cities where other assistants may send you a request letter:

Hamilton	Diane Stenerson	363-7999
Bozeman	Sarah Wardinsky	582-2450
Polson	Rebecca Gullett	883-6081

These people are also responsible for preparing transcript request letters for contract and conflict attorneys requesting transcripts on appeal. If you receive a letter from an attorney who is court appointed through the public defender system and it is not in our letter format, please notify the assistant designated for your region so it may be addressed with the attorney.

(Note: This procedure will be changing October 1, 2008).

Procedure of the Public Defender Office and the Appellate Defender Office Requesting Transcripts

Upon an OPD attorney filing a notice of appeal (whether staff or contract/conflict attorney), a request for production of transcripts shall be filed with the Clerk of the District Court and served upon the appropriate court reporter. This request must be filed simultaneously with the filing of the notice of appeal. I have asked that the transcript request be delivered to the court reporter simultaneously with the notice of appeal and although this is requested I know that it doesn't always happen. The court reporter shall also receive a copy of the notice of appeal.

EXTENSIONS

Court Reporters have 40 days from the date of the notice of appeal to file with the Supreme Court the requested transcripts. If you need an additional 50 days to complete the requested transcripts, you can obtain the first extension from your district court judge (if you ask for this extension please send defense counsel a courtesy copy of the extension request). Each extension after that has to be filed by defense counsel and must contain an affidavit from the court reporter stating the reasons for the delay. If you need a second extension, please contact our office and provide us with an original affidavit and we will file the extension request on your behalf. When requesting extensions in dependent/neglect or mental health appeals, all extension requests must be made through the defense attorney and be accompanied by an affidavit from the court reporter.

TRANSCRIPTS TO BE FILED WITH THE SUPREME COURT

The original (condensed copy) plus one dvd/r to the Supreme Court; one copy to the County Attorney; one copy to the Attorney General and one copy to defense counsel. If the transcript request you receive asks that you mail the transcripts to the Appellate Defender's Office, then you will know that our office has assumed the case. The letter is specific as to who will get the defense counsel copy. Please do not make a copy for the ADO and the district court defense counsel. It is your responsibility to distribute these copies to the appropriate parties.

PAYMENT OF TRANSCRIPT CLAIMS (Appellate)

In order to receive payment for the transcripts you must fill out the attached appropriate paperwork. (Miscellaneous Claim for Appellate Services Form and Transcript Claim Form). On the Miscellaneous Claim Form, you are the Claimant; you must fill out the name of the client and the total fees and costs. The Appellate Defender Office will fill in the Assigned OPD Client Number (this number is not the case number, it is a special number used by the ADO for client tracking and billing). This form must be signed and dated and then sent to the ADO for approval. You must send the original, no faxes will be accepted.

▶
Office of the State Public Defender

▶
▶, MT ▶

Telephone: (406) ▶

Attorney for Defendant/Appellant

MONTANA ▶ JUDICIAL DISTRICT COURT, ▶ COUNTY

STATE OF MONTANA,)	
)	Cause No. DV 06-0346
Plaintiff,)	
)	
v.)	REQUEST FOR PRODUCTION
)	OF TRANSCRIPTS
▶,)	
)	
Defendant.)	

Pursuant to Rule 8(3), Montana Rules of Appellate Procedure, ▶ (attorney's name), attorney for the Defendant named-above, is requesting that you prepare and deliver the transcripts for the following hearings:

▶

Upon completion of the requested transcripts, the court reporter shall serve the following people with a copy of the requested transcripts:

The court reporter shall also send a copy of the transcripts, your bill, an OPD miscellaneous claim form for appellate services and a transcript claim form to the

Appellate Defender Office, Attn: Sarah Braden, at P.O. Box 200145, Helena, Montana
59620-0145.

Respectfully submitted this ____ day of ►, 2007

By: _____

►
► Public Defender

CERTIFICATE OF SERVICE

I hereby certify that I caused a true and accurate copy of the Request for
Production of Transcripts to be hand-delivered and/or mailed to:

►
Official Court Reporter
►
►

►
► County Attorney
►
►

APPELLATE DEFENDER OFFICE
Attn: Sarah Braden
P.O. Box 200145
Helena, MT 59620-0145

DATED: _____

STATE OF MONTANA
OFFICE OF THE STATE PUBLIC DEFENDER
APPELLATE DEFENDER OFFICE

TRANSCRIPT CLAIM FORM

Cause No. _____

Case Name: _____

Attorney Requesting Transcripts: _____

Date Ordered _____ Date Completed _____

Allowable Costs pursuant to Mont. Code Ann. § 3-5-604

Original No. of Pages: _____ @ \$2.00 per page = \$ _____

First Copy No. of Pages: _____ @ \$.50 per page = \$ _____

Add. Copies No. of Pages: _____ @ \$.25 per page = \$ _____

(One original (reduced format) plus one dvd-r containing PDF to the Supreme Court , one copy to County Attorney, one copy to Attorney General, one copy to Defense Counsel or Appellate Defender (depending on who is representing appellant).

Additional Costs: \$ _____

Summary of Additional Costs:

Total Amount Due: \$ _____

Court Reporter: _____

Court Reporter Signature and Date: _____

(Upon receipt of this bill, the OPD has 45 days to make payment for your services)